PTOL-413A (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/788,907 First Named Applicant: Cutler
Examiner: T. J. Weidner Art Unit: 2616 Status of Application: Pending

Tentative Participants:
(1) Richard Lyon, Reg. No. 37,385 (2) Examiner T. J. Weidner
(3)_____ (4)_____

Proposed Date of Interview: 11/5/07 **Proposed Time:** 2:00PM (EST) **(AM/PM)**

Type of Interview Requested:
(1) [X] **Telephonic** (2) [ ] **Personal** (3) [ ] **Video Conference**

Exhibit To Be Shown or Demonstrated: [ ] **YES** [X] **NO**
If yes, provide brief description:_____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rejection (102)	15,19,20,23	Krzyzanowski	[ ]	[ ]	[ ]
(2) Rejection (103)	1-14,16-18,21,22,24-30	Krzyzanowski/various	[ ]	[ ]	[ ]
(3)_____	_____	_____	[ ]	[ ]	[ ]
(4)_____	_____	_____	[ ]	[ ]	[ ]

[ ] Continuation Sheet Attached

Brief Description of Arguments to be Presented:

(See attached agenda)

An interview was conducted on the above-identified application on _____.

NOTE:
This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

_____ _____
(Applicant/Applicant's Representative Signature) (Examiner/SPE Signature)

AGENDA FOR EXAMINER INTERVIEW FOR S/N 10/788,907

1) The 102 and 103 Rejections based on Krzyzanowski

(a) If Claim 15 was amended to read "the discovering device using the received network address to establish communications via the common network between the discovering device and the discoverable device that transmitted the address" rather than "the discovering device using the received network address to establish communications via the common network with the discoverable device that transmitted the address", would this overcome Krzyzanowski.

The applicant claims a process in which "the discovering device receiv[es] a signal transmitted by a discoverable electronic device" where "the signal comprises data representing the address assigned to the discoverable device on the common network, and ... is not transmitted via the common network." Then "the discovering device us[es] the received network address to establish communications *via the common network between* the discovering device and the discoverable device that transmitted the address."

Krzyzanowski teaches a system in which a "legacy device bridge performs *protocol conversion* to enable a network-attached entity that uses a packet-based communication protocol to communicate with and control legacy devices, such as consumer electronics, that rely *exclusively* on infrared (IR) or serial communication protocols." (refer to paragraph [0032]) Further to this point, Krzyzanowski teaches that the IR-based legacy consumer electronic devices are specifically *not* capable of communicating over the packet-based common network. (refer to paragraphs [0036] and [0042], among other places) As such, the IR-based legacy devices do *not* have a network address. Hence, the bridge *cannot* use a network address received from an IR-based legacy device to establish communications *via the common network* between the bridge and the legacy device.

Even if Krzyzanowski's handheld/mobile controller (hereafter referred to simply as a handheld controller) were equated to the applicant's claimed discovering device and Krzyzanowski's bridge were equated to the applicant's claimed discoverable device, nowhere does Krzyzanowski teach that the handheld controller ever uses a network address received from a bridge to establish communications via the common netwok *between* the handheld controller and the bridge. In fact, such communication is completely *unnecessary* since, as is appreciated by one skilled in the art, the handheld controller operates to provide direct (i.e. *not* via the bridge) remote IR control of the legacy devices which include a television, VCR, DVD player, thermostat, lamp and the like. (refer to paragraph [0036]) As discussed heretofore, the handheld controller does not and *cannot* communicate with these legacy devices *via the common network*. Rather, as described heretofore, Krzyzanowski teaches that the handheld controller transmits the unique ID of the bridge to a *central server* over the common IP network, and then the *server* sends configuration information to the handheld controller which is used to reconfigure the handheld controller for the IR control of selected legacy devices which are located within a certain vicinity of the bridge.

(b) In addition, the applicant claims (Claims 13, 14, 23, 29) that "one or more of the discoverable devices further comprises a confirmation actuator which is only capable of being activated by person physically present in the delimited space" and that "a person must activate the confirmation actuator on a discoverable device having one before that discoverable device will transmit its signal."

The Examiner contends that Krzyzanowski teaches these features in paragraphs [0061], [0088], [0089], and FIG. 11 steps 1104 and 1112. However, the applicant respectfully asserts that this is not the case. Rather, in these cited paragraphs, Krzyzanowski teaches the following. The low-level IR or serial codes necessary for controlling legacy devices are stored in the control server. (refer to paragraph [0060]) These codes are provided to the server using a variety of techniques. In one technique a user manually enters the codes into the bridge which then uploads the codes to the server. In another technique the bridge gets the codes from the legacy devices via IR queries to the devices and then uploads the codes to the server. (refer to paragraph [0061]) FIG. 11 correspondingly shows the steps associated with these techniques, and for transmitting a control code to a legacy device. (refer to paragraphs [0088] and [0089] – it is noted that Krzyzanowski refers to the bridge as a "virtualization appliance" when it is operating in this fashion.) Nowhere does Krzyzanowski teach that the legacy devices, bridge or handheld controller contain *any* sort of confirmation actuator which must be activated by a person before transmitting their signal.